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Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere, submitted pursuant to Assembly resolution 67/155.

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Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Summary

The Durban Declaration and Programme of Action pay particular attention to concerns related to racism, racial hatred, xenophobia, racial discrimination and related intolerance, and provide a comprehensive framework for possible actions to combat these phenomena. In this report, the Special Rapporteur focuses on the intersection between poverty and racism. Following a brief introduction and the overview of his activities carried out since his last reports, the Special Rapporteur refers to the inherent issues of poverty and racism, starting with an overview of legal and policy frameworks at the national, regional and international levels; discussing the manifestations of poverty and racism, in the areas of economic and social rights such as education, adequate housing, and health care, other rights affected in this connection between racism and poverty including the right to work in just conditions, social security, food and water. The Special Rapporteur then provides an overview of the different groups victims of discrimination that are affected by poverty and racism and underlines some examples of positive measures taken to prevent poverty and discrimination, before presenting some conclusions and recommendations.

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 67/155 of 20 December 2012 on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (see A/CONF.189/12 and Corr.1). The Assembly requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, within his mandate, to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights.

2. In section II, the Special Rapporteur refers to the activities he has undertaken since his last reports to the General Assembly.

3. In section III he examines the intersection between discrimination and poverty, building upon the reports of his predecessor, which examined the overlap between class and race or ethnicity and their intersection with poverty.[1] The continuing socioeconomic vulnerability of minorities is frequently the result of historical legacies, such as the impact of slavery and colonization, and systems of inherited status and formalized and State-sponsored discrimination that for a long time were in place in many parts of the world. These historically created imbalances continue to profoundly affect groups that are discriminated against. The former Special Rapporteur highlighted the fact that a number of concrete measures are needed to address the disproportional levels of poverty which affect members of minorities. In the present report, the Special Rapporteur discusses the manifestations of poverty and racism in the areas of economic and social rights such as education, adequate housing, and health care, other rights affected in the link between racism and poverty, including the right to work in just conditions, social security, food and water. He then provides an overview of the different groups victims of discrimination that are affected by poverty and racism and underlines some examples of positive measures taken to prevent poverty and discrimination.

II. Activities of the Special Rapporteur

A. Country visits

4. The Special Rapporteur would like to thank the Government of Mauritania, which has accepted his request for a follow-up visit. He hopes to undertake it in September 2013. The Special Rapporteur is also awaiting confirmation for a visit to South Africa, which he also hopes to undertake by the end of 2013. The Special Rapporteur also thanks the Government of Greece for having invited him to visit at the end of the first semester of 2014.

5. From 4 to 10 September 2012, the Special Rapporteur visited the Plurinational State of Bolivia. He expresses his sincere gratitude to the Government for its full cooperation and openness in the preparation and conduct of his visit. From 21 to 28 January 2013, the Special Rapporteur visited Spain. He is very grateful to the Government of Spain for its cooperation in the preparation and conduct of his visit.

[1] A/HRC/11/36 and A/64/271.

The reports on those visits were presented at the twenty-third session of the Human Rights Council.[2]

B. Other activities

6. The Special Rapporteur participated in the Symposium on the Varieties of European Racism(s) in Europe organized by the European Network against Racism and the Open Society Foundation in Brussels on 27 and 28 September 2012.

7. On 4 and 5 October 2012 the Special Rapporteur participated in the final expert workshop on the prohibition of incitement to national, racial or religious hatred held in Rabat. The Special Rapporteur also contributed to the tenth session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, held from 8 to 19 October 2012 in Geneva.

8. On 19 November 2012, the Special Rapporteur attended the second National Conference: Malaysia on the Path to Non-Discrimination — Making it Possible, held in Kuala Lumpur.

9. On 14 and 15 May 2013, the Special Rapporteur participated in a conference on Right-wing Extremism and Hate Crime: Minorities under Pressure in Europe and Beyond, organized in Oslo by the Ministry of Foreign Affairs of Norway, which brought together international experts to discuss challenges and possible solutions related to the rise of right-wing extremism and hate crime directed towards minorities in Europe and beyond.

10. On 24 and 25 June 2013, the Special Rapporteur attended the International Meeting for Equality and Non-Discrimination in Mexico City, organized by CONAPRED (Mexican National Council to Prevent Discrimination). The meeting brought together international experts to debate and review international efforts to prevent discrimination and share good practices.

III. Poverty and racism

A. The international normative framework

11. The Special Rapporteur is of the opinion that the issues of poverty and racism are inextricably linked. As has been emphasized in the Durban Declaration, "poverty... [is] closely associated with racism... and contribute[s] to the persistence of racist attitudes and practices which in turn generate more poverty" (para. 18). As the previous Special Rapporteur on racism underlined in his report to the General Assembly in 2009, racial or ethnic minorities are disproportionately affected by poverty, and the lack of education, adequate housing and health care transmits poverty from generation to generation and perpetuates racial prejudices and stereotypes in their regard.[3]

[2] A/HRC/23/56/Add.1 and 2.

[3] A/64/271, para. 38; see also A/HRC/11/36.

12. The Special Rapporteur has underlined the important role of education in combating racism, as it promotes tolerance and constitutes a pillar by which people can pull themselves out of poverty. In his report of 2013 to the Human Rights Council,[4] the Special Rapporteur has examined the link between the realization of the right to education and the struggle against racism. The right to education is mentioned in many instruments.[5] This right is further elaborated on in general comments of the Committee on Economic, Social and Cultural Rights (No. 13) and the Committee on the Rights of the Child (No. 1). The African Charter on Human and Peoples' Rights also recognizes the right to education (art. 17) as do the Protocol of San Salvador to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (art. 13) and the Charter of Fundamental Rights of the European Union (art. 14).

13. Article 25 of the Universal Declaration of Human Rights declares that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services. The right to health is recognized in several instruments.[6] As noted by the Committee on Economic, Social and Cultural Rights in its general comment No. 14, the realization of other human rights, including the right to food, housing, work, education and non-discrimination, is dependent on the right to health. General recommendations of the Committee on the Elimination of Racial Discrimination (Nos. 30 and 34) and the Committee on the Elimination of Discrimination against Women (No. 24) and general comments of the Committee on the Rights of the Child (Nos. 3, 4, 15) also elaborate on the importance and scope of this right. In the African region, article 16 of the African Charter on Human and Peoples' Rights affords protection for health, as do, in their regions, article 35 of the European Union Charter and articles 10 and 11 of the San Salvador Protocol.

14. Another important right closely linked with poverty, and discrimination, is the right to adequate food and water. The right to adequate food can be found in several international human rights instruments.[7] The Committee on Economic, Social and Cultural Rights notes in general comment No. 12 that "the right to adequate food is indivisibly linked to the inherent dignity of the human person" and is inseparable from social justice, requiring the adoption of appropriate policies oriented to the eradication of poverty and the fulfilment of all human rights for all. Similarly, in general comment No. 15 the Committee holds that the right to water is included in the right to an adequate standard of living, noting that the "contamination, depletion and unequal distribution of water is exacerbating existing poverty".

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[4] A/HRC/23/56.

[5] Universal Declaration of Human Rights (art. 26), International Covenant on Economic, Social and Cultural Rights (art. 13), International Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (v)), Convention on the Elimination of All Forms of Discrimination against Women (art. 10), Convention on the Rights of the Child (arts. 28 and 29), Convention against Discrimination in Education, and other instruments.

[6] International Covenant on Economic, Social and Cultural Rights (art. 12), International Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (iv)), Convention on the Elimination of All Forms of Discrimination against Women (art. 12) and Convention on the Rights of the Child (art. 24).

[7] Including the Universal Declaration of Human Rights (art. 25), International Covenant on Economic, Social and Cultural Rights (art. 11), Convention on the Elimination of All Forms of Discrimination against Women (art. 14 (2) (h)) and Convention on the Rights of the Child (art. 24).

15. The right to housing can be found in numerous instruments.[8] The Committee on Economic, Social and Cultural Rights discusses the right to adequate housing in general comments Nos. 4 and 7. Reports of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living elaborate on this right and how it can affect poor communities.[9] Article 26 of the American Convention on Human Rights requires States to achieve progressively the full realization of rights included in the Charter of the Organization of American States, which encompass the right to housing as well as the rights to employment opportunities, acceptable work conditions, and education opportunities for all.

16. Several instruments recognize the right to work and/or the right to just conditions of work,[10] and the right to social security is also mentioned.[11] As mentioned in general comment No. 18 of the Committee on Economic, Social and Cultural Rights, access to work "constitutes an opportunity for economic self-reliance and in many cases a means to escape poverty". In general comment No. 19, the Committee acknowledges that social security plays an important role in poverty reduction and alleviation, preventing social exclusion and promoting social inclusion. On the regional level, the African Charter on Human and Peoples' Rights ensures "the right to work under equitable and satisfactory conditions" in article 15, the European Union Charter in article 31 and the San Salvador Protocol in article 7.

17. The prohibition of discrimination is widely accepted and stipulated in all the major international conventions, some of which contain forceful provisions outlawing discrimination.[12] General comments of the Committee on Economic, Social and Cultural Rights (No. 20) and the Human Rights Committee (No. 18) and general recommendation No. 20 of the Committee on the Elimination of Racial Discrimination discuss the universality and importance of the prohibition of discrimination. All major regional instruments also forbid discrimination based on race, sex, colour, language, religion, or social status.[13]

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[8] Universal Declaration of Human Rights (art. 25), International Covenant on Economic, Social and Cultural Rights (art. 11), International Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (iii)), Convention on the Elimination of All Forms of Discrimination against Women (art. 14 (2) (h)) and Convention on the Rights of the Child (art. 27).

[9] See, for example, E/CN.4/2002/59 and Corr.1.

[10] Universal Declaration of Human Rights (art. 23), International Covenant on Economic, Social and Cultural Rights (arts. 6 and 7), International Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (i)), Convention on the Elimination of All Forms of Discrimination against Women (art. 11).

[11] Universal Declaration of Human Rights (art. 22), International Covenant on Economic, Social and Cultural Rights (art. 9), International Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (iv)), Convention on the Elimination of All Forms of Discrimination against Women (arts. 11 (1) (e) and 14 (2) (c)).

[12] Universal Declaration of Human Rights (arts. 1 and 7), International Covenant on Economic, Social and Cultural Rights (art. 2 (2)), International Covenant on Civil and Political Rights (arts. 4 and 26), International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination against Women and Convention on the Rights of the Child (art. 2).

[13] Including the European Convention on Human Rights (art. 14), American Convention on Human Rights (arts. 1, 24 and 27) and African Charter on Human and Peoples' Rights (art. 28).

18. The major international conventions focusing on the rights of racial minorities and women,[14] groups that have historically been discriminated against, also encompass provisions recognizing the right of temporary special measures aimed at accelerating de facto equality. In his report to the General Assembly in 2009, the former Special Rapporteur on racism noted his belief that, whereas non-discrimination is essential to create a level playing field for different communities, non-discrimination on its own does not provide for the correction of imbalances which are the result of historical legacies, such as slavery and segregation. In this regard, there continues to be a need for the enactment of special measures, as provided for in article 1.4 of the International Convention on the Elimination of All Forms of Racial Discrimination, concerning groups that suffered from decades or centuries of discrimination, thus helping to transform the goal of integration and equal opportunities into a concrete reality for all.[15] General recommendation No. 32 of the Committee on the Elimination of Racial Discrimination further clarifies the meaning and scope of special measures.

19. The Durban Declaration and Programme of Action has discussed extensively the link between poverty and racism. The Durban Declaration recognizes the "negative economic, social and cultural consequences of racism" (para. 19) and notes that the effects of globalization could aggravate poverty along racial lines (para. 11). Similarly, the Programme of Action recognizes that historical injustices have undeniably contributed to poverty (para. 158), and urges States to adopt policies that will eradicate poverty with a special emphasis on those affected by racism (para. 52).

B. The intersection of poverty and racism

20. Poverty does not result only from an unequal sharing of resources. Discrimination against groups and persons based on their ethnicity, race, religion or other characteristics or factors has been known to encourage exclusion and impoverish certain groups of the population who suffer from unequal access to basic needs and services. Groups that are discriminated against, such as Afro-descendants, minorities, indigenous peoples, migrants and refugees, are disproportionately affected by poverty in all regions of the world. The complex relationship between racism and discrimination suggests that only the guarantee of equality and non-discrimination can redress that imbalance and protect such groups from falling into or being trapped in poverty.

21. The Committee on Economic, Social and Cultural Rights has defined poverty as a human condition characterized by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights.[16] A history of discrimination has left a large number of racial and ethnic groups in various parts of the world trapped in conditions of "chronic

[14] International Convention on the Elimination of All Forms of Racial Discrimination (arts. 1 (4) and 2 (2)) and Convention on the Elimination of All Forms of Discrimination against Women (art. 4 (1)).

[15] A/64/271, para. 42.

[16] Quoted in the report of the independent expert on the question of human rights and extreme poverty (A/HRC/15/41), para. 14.

deprivation of resources" with limited choices and vulnerable to multiple violations of their rights. In many parts of the world, race and ethnicity continue to be persistent predictors of poverty. The multigenerational nature of poverty, with successive generations inheriting the disadvantages of their predecessors, means that over the years poverty and deprivation have become part of the characterization of particular racial and ethnic groups trapped in poverty. This in turn fuels prejudice against those members of poor racial and ethnic groups, exacerbating the problems of racial discrimination. For most racial and ethnic groups living in poverty, the formal provisions for non-discrimination are not sufficient to address the challenges they confront in the realization of those rights that would lift them out of their conditions of poverty. Their situation is that of multidimensional discrimination — as they are discriminated against for being poor and also on account of their race and ethnicity. The nature of this challenge requires much more than formal protections and calls for special measures.

22. Quantifying the problem of the poverty among racial and ethnic minorities continues to be a challenge given the absence of disaggregated data. Nevertheless, we can look at the situation of the realization of specific rights as a proxy for determining progress from poverty. In particular, progress in the realization of some social economic rights could signify an improvement in the lives of those living in poverty. From a development perspective, the progress made on the key Millennium Development Goals with respect to racial and ethnic groups in various countries could be a useful way of assessing progress.

23. Discrimination based on racial, religious, ethnic, linguistic and also socioeconomic factors exacerbates the vulnerability of those persons and groups. This situation and furthermore the lack of participation of groups that are discriminated against in decision-making processes is often the result of historical legacies rooted in traditions. Their situation is primarily the consequence of historical systems of inherited status, and of the formalized exclusion of certain traditional populations in modern societies, sometimes encouraged by authorities. Thus, even in countries where resources are sufficient to ensure to the whole population adequate standards of living, those groups and individuals do not fully benefit from those resources. In countries suffering from lack of development, the situation of vulnerable groups is even more critical, and they often form part of the poorest of the poor.[17]

24. Discriminatory treatment and practices end up perpetuating the situation of poverty these groups already suffer and encourage exclusion. The Special Rapporteur believes that it is the obligation of Governments to prevent marginalization and to ensure protection as well as to guarantee the enjoyment of human rights for all, including the right to education, the right to adequate housing, the right to health or the right to food and safe water.[18]

25. In many regions of the world, minority groups already live under precarious economic situations which do not provide the opportunity for a fair access to resources but fuel racial and socioeconomic discrimination. The condition of

[17] Minority Rights Group International, *State of the World's Minorities and Indigenous Peoples 2009*, p. 7.

[18] World Health Organization, *WHO's Contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, Health and Human Rights Publication Series No. 2 (Geneva, August 2001).

poverty of the groups that are discriminated against can thus be perceived as a result of the continued denial of their fundamental rights based on racial, ethnic and social factors.

1. The right to education

26. One of the reasons why groups that are discriminated against remain trapped in poverty is the perpetual marginalization they suffer in terms of access to education, despite the obligation of States to realize this right for all without discrimination. Realizing the right to education for all children should be the cornerstone of strategies directed at reducing poverty and discouraging discrimination.

27. Minority Rights Group International noted in 2009 that, of the 101 million children out of school and the 776 million illiterate adults, the majority are part of racial, ethnic, religious or linguistic minorities.[19] The obstacles are first related to access to schools. In many countries, the low enrolment rate of minority children is the result of official policies that fail to recognize the existence of minorities as part of the whole population and to take measures to ensure that they enjoy the rights guaranteed to every citizen.[20]

28. Within the school system, children from racial and ethnic minorities in many cases also suffer from direct discrimination, either on the part of teachers or their fellow pupils in mixed classes, or indirect discrimination due to the low quality of teaching, particularly in remote or disadvantaged areas where these groups live. In many of those areas, teachers are often less qualified, and the official curriculum frequently does not take into account the specificity of the minority groups and their participation in the history and development of their country.

29. The Special Rapporteur notes that, as a result of such discrimination, there is a lack of trust in the national educational system and some children tend to remain within their community rather than attend school and acquire skills that could eventually enable them to break the cycle of poverty. Low school enrolment rates ultimately fuel illiteracy, and hinder these children's future prospects in integrating the labour market to improve their economic situation.

30. The Special Rapporteur is also of the view that if discrimination in education reinforces poverty, poverty also fosters discrimination.[21] Poverty is one of the causes of the low enrolment rates in schools of children from groups that are discriminated against. Even where basic education is free, accessing the public education system often implies having to meet the burden of hidden and indirect costs such as expenditures for textbooks, transportation, meals or school uniforms.[22]

31. When discriminated groups or vulnerable communities are not able to achieve acceptable standards of living owing to racial or other inequalities, they also become victims of further discrimination.[23] Many children from poor rural communities

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[19] Minority Rights Group International, *State of the World's Minorities and Indigenous Peoples 2009*, p. 13.

[20] Ibid., p. 15.

[21] See final draft of the guiding principles on extreme poverty and human rights, submitted by the Special Rapporteur on extreme poverty and human rights (A/HRC/21/39), para. 4.

[22] Report of the Special Rapporteur on the right to education (E/CN.4/2004/45), para. 26.

[23] Final draft of the guiding principles on extreme poverty and human rights (A/HRC/21/39), para. 3.

often have to help their families with tasks such as working in the field or fishing. This often results in dropping out of school, absenteeism, poor health and more generally a decreased quality of life, and furthers isolation. The situation is even worse for women, who suffer not only from racial or ethnic inequalities but also from gender discrimination.

32. The Special Rapporteur is convinced that the full enjoyment of the right to education is the prerequisite for the full enjoyment of other rights, such as the right to work, freedom of expression, or even the right to health.[24] For groups that are discriminated against, education is crucial for preparing and equipping them with the skills to achieve economic and social mobility and consequently to break the cycles of multidimensional poverty and discrimination.

2. The right to health

33. The Special Rapporteur notes that poverty and discrimination are often reflected in poor health status. Vulnerable and marginalized groups disproportionately face obstacles in accessing health care. Many inequalities in accessing adequate health care are related to social disparities and exclusion, themselves often the result of racism, xenophobia and other forms of intolerance.

34. First, from a geographical point of view, access to health care is often limited for those living in rural or economically remote areas and disparities sometimes result from laws, policies or programmes which intentionally or not concentrate services in urban areas.[25] This can lead to decreased life expectancy and poor health conditions for minorities living in marginalized areas.

35. In some cases where hospitals and clinics have been established in the rural areas quite often the services offered are of lower quality. There are instances where racial and ethnic minority groups have been victims of discrimination at the hands of health professionals.[26] As a result, these groups become reluctant to approach and use health care providers.

36. There is also a risk of mistrust in the official health services, due to stereotyping, but also due to the health service providers' lack of cultural knowledge of a particular cultural minority. Health practices and the perception of illness can vary from one cultural community to the other. In countries using modern health systems, traditional medicine, for example, is not taken into consideration, and often suffers from negative stereotypes. In some cases, the language of the medical professionals is that of the majority cultures and there is little consideration of the language challenges of the minority cultures. This linguistic handicap can lead to poor health outcomes for poor racial and ethnic minorities.

37. The former United Nations High Commissioner for Human Rights, Mary Robinson, has noted that "it is those who are the most vulnerable in society due to gender, ancestry, socioeconomic status, disability, sexual orientation or race and that fall into poverty who are the most exposed to the risk factors which cause ill-health".[27] Owing to their economic and social conditions, groups that are discriminated against are more exposed to health risks and diseases. They are more

[24] See A/HRC/23/56.

[25] World Health Organization, op. cit.

[26] Ibid.

[27] Ibid.

likely than others to live in polluted and environmentally degraded areas where the risk of exposure to substance abuse, violence and infectious diseases is higher.[28] Where social security and health care support is conditioned to employment the poor living in these areas are less likely to access health services.

38. Limited access to adequate nutrition also exacerbates the poor health suffered by a considerable number of poor racial and ethnic minorities.

3. The right to housing

39. The Special Rapporteur also notes that racism and discrimination negatively affect the realization of the right to adequate housing for the marginalized groups.

40. Legal insecurity of tenure for poor and marginalized ethnic and racial minorities in some cases forces some of the members of those communities to move to urban areas, where the only affordable housing is in informal and slum settlements with substandard housing conditions and the daily risks of eviction.

41. In some countries, individuals from certain marginalized racial groups face discrimination from landlords and officials in accessing public and private rental housing. The lack of safe and healthy housing has consequences for the development of children and has a direct link to the vicious cycle of poverty and discrimination. The violation of the right to adequate housing also affects the enjoyment of other human rights, such as the right to work, education, health and social security.

42. In many countries, those without formally recognized housing find themselves limited in accessing public services and excluded from opportunities for participation in decision-making processes. These challenges reinforce their isolation and marginalization. Where registration in schools is conditioned to the provision of certain official documents related to housing or population registers, this affects the right to education. The same applies for social security and health care services, or the ability to be issued an employment contract.

43. Adequate housing is also linked to safe drinking water and adequate sanitation. As of early 2013, UNICEF estimates that 36 per cent of the world's population lacked improved sanitation facilities, and 768 million people have access only to unsafe drinking water.[29] Poor sanitation and unhygienic practices are the indirect results of discrimination and the marginalization suffered by racial minorities. Groups that are discriminated against, especially those living in rural or remote areas, experience disparities in terms of access to sanitation and drinking water.[30] These further contribute to poor health outcomes for the poor racial and ethnic minorities.

44. Poor sanitation and difficulties resulting from lack of access to safe drinking water have been known to be linked to poor school enrolment and completion rates of children from groups that are discriminated against who have to fetch water for their families and often suffer from various infections.

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[28] Ibid.

[29] UNICEF, "Water, Sanitation and Hygiene", available from www.unicef.org/wash/.

[30] See report of the Special Rapporteur on the human right to safe drinking water and sanitation, entitled "Stigma and the realization of the human rights to water and sanitation" (A/HRC/21/42), para. 30.

C. Persons and groups affected by poverty and racism

45. The Special Rapporteur notes that one of the major challenges in assessing the extent to which poor racial and ethnic minorities suffer discrimination is the lack of reliable disaggregated data. The lack of data is linked to legal prohibitions in some countries on collection of ethnically disaggregated data, the failure to establish mechanisms for collection of such data in others. The lack of this kind of data means that development policies such as those linked to the Millennium Development Goals may neglect to address the specific needs of racial and ethnic minorities.

46. The Special Rapporteur observes that the problem of disproportionate poverty among some racial and ethnic groups is prevalent in all regions of the world. In this report, however, he highlights the situation of just some of those groups.

1. Persons of African descent

47. More than 200 million persons identify themselves as being of African descent. The Special Rapporteur notes that many of them continue to face pernicious discrimination as part of the legacy of slavery and colonialism that still hinders them from fully participating in the decision-making process. Despite their contribution to the economic development of their countries, they still experience prejudices and exclusion. In North and South America, two regions characterized by great disparities, a disproportionate number of persons of African descent are affected by a lack of income, health services, quality of education and opportunities to attain well-being. In the United States, poverty, as defined by the Census Bureau, is determined by 48 different thresholds according to size of the family, the number of dependent children, and ages of family members.[31] In 2009, 25.8 per cent of persons of African descent were living in poverty, whereas only 9.4 per cent of non-Hispanic whites were living in poverty. In a similar trend, in Brazil, in 2006, 47 per cent of people of African descent were living below the poverty line, as opposed to 22 per cent of those classified as white.[32]

48. In Latin America and the Caribbean, most persons of African descent live in rural areas where access to education remains limited. The Special Rapporteur on the right to education has observed that, in this region, isolation and discrimination are the main factors preventing children's access to a high level of education and skills.[33] Children living in low-income households are more likely to attend low-quality schools that lack basic materials and infrastructure and are also more likely to receive low quality of teaching. In Uruguay for example, at the end of the school cycle, the enrolment rate is 22 per cent among those aged 18 to 24 for Afro-Uruguayans, compared to 41 per cent for whites.[34] In the United States, the 2004 American Community Survey of the Census Bureau reported that about 80 per cent of persons of African descent aged 25 and older were high school graduates but

[31] See report on the mission to the United States of America of the independent expert on the question of human rights and extreme poverty (E/CN.4/2006/43/Add.1), para. 25.

[32] See report on the mission to Brazil of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/2006/16/Add.3), para. 33.

[33] See A/HRC/17/29 and Corr.1.

[34] United Nations Population Fund, "Afro-descendant youth in Latin America: diverse realities and (un)fulfilled rights"; available from http://lac.unfpa.org/webdav/site/lac/shared/DOCUMENTS/2012/pagina%20de%20juventud/Afro-descendant_Youth.pdf.

only 17 per cent had completed a higher education degree. More generally, they were less likely to have completed bachelor's, master's, professional, or doctorate degrees than other communities.[35]

49. The Special Rapporteur notes that people of African descent continue to suffer from discriminatory and consequently inadequate access to housing at various stages of the rental or sale process. In the United States, one in five individuals of an ethnic or racial minority experiences discrimination during a preliminary search for housing. Moreover, 46 per cent of African Americans were owners in 2011, against 74 per cent of whites.[36] In other regions of the world, such as Europe and Latin America, people of African descent also continue to face difficulties in finding housing, which contributes to their settlement in certain areas, isolated from the cities' strategic points. This situation enhances the emergence of "ghettos" where essential services are largely inadequate. For those living in these "ghettos" accessing employment opportunities is particularly challenging, further reinforcing the vicious cycle of poverty in which a large number are trapped.

50. For many persons of African descent, because of their low-income situation, the issue of food insecurity remains a significant challenge. In many countries, the situation is the result of unequal treatment but also of the economic situation. It is the case in Latin American countries where disparities of income and resources are high. On the other hand, in countries such as the United States, food insecurity is not the result of insufficient supplies of food but of disparities in its distribution. In 2004, 23.7 per cent of African American households and 21.7 per cent of Hispanic households suffered from food insecurity.[37]

51. The Special Rapporteur also emphasizes that unequal access to food and sanitation increases health disparities. In the United States, where health insurance is correlated to employment and income, a significant number of persons of African descent are uninsured.[38] Moreover, structural discrimination by health care institutions, and sometimes health professionals, means that people of African descent are often faced with unequal access to medicines and treatments. In Latin America, poverty affects the health conditions of persons of African descent. For example, while 40 per cent of white Colombians have health coverage, only 10 per cent of African Colombians do. In other countries, where a lower proportion of the population is of African descent, discriminatory practices also remain common. In Peru, discrimination in health centres is frequent. According to the International Development Bank, Afro-Latin Americans suffer from higher infant mortality rates in many areas of South America.[39]

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[35] United States Census Bureau, "Educational Attainment in the United States: 2009", February 2012; available from www.census.gov/prod/2012pubs/p20-566.pdf.

[36] Pew Research Center, "Wealth gaps rise to record highs between Whites, Blacks and Hispanics", 26 July 2011; available from www.pewsocialtrends.org/files/2011/07/SDT-Wealth-Report_7-26-11_FINAL.pdf.

[37] Report on the mission to the United States of America of the independent expert on the question of human rights and extreme poverty (E/CN.4/2006/43/Add.1), para. 31.

[38] Ibid., para. 32.

[39] Minority Rights Group International, *State of the World's Minorities 2006*, p. 71.

2. Indigenous peoples

52. The Special Rapporteur notes that, as a result of historical and contemporary factors, indigenous peoples are part of a worldwide disadvantaged minority as they continue to face discriminatory practices deeply rooted in cultural structures and reinforced by industrial development. While they constitute approximately 5 per cent of the world's population — 370 millions — indigenous peoples represent around one third of the world's 900 million extremely poor rural people. This situation of marginalization is prevalent in all types of countries regardless of their level of development, as indigenous people consistently lag behind the non-indigenous population in terms of standards of living and development.[40]

53. The Special Rapporteur notes that, as a result of geographical isolation and marginalization, indigenous children are less likely to access education in comparison to non-indigenous populations. The lack of investment in teaching in indigenous languages in schools encourages loss of identity. Moreover, a uniform curriculum increases misinformation on the history, culture and identities of indigenous peoples and reinforces unequal treatment by teachers and the educational system. These weaknesses of the education system significantly contribute to decreasing enrolment rates, drop-out, illiteracy and social exclusion. For instance, in small indigenous communities in Southern Arnhem Land (Australia), up to 93 per cent of the population is illiterate. In Ecuador, the illiteracy rate of indigenous peoples was 28 per cent in 2001, compared to the national rate of 13 per cent, while in Venezuela (Bolivarian State of) the indigenous illiteracy rate (32 per cent) was five times higher than the non-indigenous illiteracy rate (6.4 per cent).[41] Furthermore, in Bolivia (Plurinational State of), according to the 2001 census, the illiteracy rate for the indigenous population reached 19.61 per cent as against 4.51 per cent for the non-indigenous population.[42]

54. The Special Rapporteur notes that the increasing expropriation of indigenous peoples' lands for economic purposes also reinforces their vulnerability in terms of their right to adequate housing by affecting their ancestral culture, which is based on communal land and resources. According to Minority Rights Group International, "One of the overriding threats facing minorities and indigenous peoples in every region of the world is the risk of being driven from their land and natural resources, which are vital for their livelihoods, their culture and often their identity as a people".[43] The Department of Economic and Social Affairs has noted that there has been an upsurge in infrastructure development, particularly of large hydroelectric dams, oil and gas pipelines, and roads in indigenous territories;[44] there has been a constant failure to consult the populations concerned first. As a result of those development-driven displacements, many indigenous persons migrate to urban areas where they frequently live in poverty and face discrimination. In many of those urban areas, indigenous peoples also experience unequal treatment in the rental market, in the allocation of resources for housing, including loans and credits, and

[40] *State of the World's Indigenous Peoples* (United Nations publication, Sales No. 09.VI.13), pp. 21-22.

[41] Ibid., p. 132.

[42] See A/HRC/23/56/Add.1, para. 38.

[43] Minority Rights Group International, *State of the World's Minorities and Indigenous Peoples 2012*, p. 7.

[44] *State of the World's Indigenous Peoples* (United Nations publication, Sales No. 09.VI.13), p. 19.

are affected by laws and policies that fail to take into account the specificity of their culture.

55. New development projects have also interfered with indigenous peoples' access to appropriate food in accordance with their traditions. In some cases, they are denied access to land for fishing or hunting, while in others food sources are contaminated by industrial developments. In addition, the entry of industrial goods into indigenous peoples' communities has in some cases compromised their traditional practices.

56. As a result of a combination of these factors, many indigenous people have inadequate food access and are exposed to high levels of malnutrition. For instance, in Latin America, malnutrition among indigenous children is twice as high as among non-indigenous children. In Ecuador, chronic malnutrition is more than twice as high in indigenous as compared to non-indigenous communities. In El Salvador, an estimated 40 per cent of indigenous children under 5 are malnourished, compared to the national average of 23 per cent.[45]

57. Poor nutrition, discrimination and limited access to quality health care, and contamination of resources, also contribute to poor health conditions among indigenous peoples.[46] Overall, the life expectancy of indigenous people is up to 20 years lower than that of non-indigenous people;[47] and they also experience higher levels of maternal and infant mortality. Smoking and substance abuse are more common among indigenous people and diseases such as tuberculosis, diabetes and HIV/AIDS are key health concerns in indigenous communities, as are problems of isolation and suicide. Worldwide, more than 50 per cent of indigenous adults suffer from type 2 diabetes.[48] In Australia, the estimated number of indigenous adults with type 2 diabetes is up to four times higher than that of Australians of European descent.[49] Among the Inuit people in Canada suicide rates are 11 per cent higher than the national average.[50] The disparities are even starker in urban areas, where indigenous peoples are further detached from their cultural traditions.

3. Roma

58. With an estimated population of 10 to 12 million, the Roma represent one of the most important minority groups in Europe. The Special Rapporteur observes that, in spite of efforts at both regional and national levels to improve the situation of the Roma, an unacceptably large percentage continue to live in poverty and suffer discrimination in virtually all aspects of life, including employment, health care, education, and adequate housing.

59. Discrimination in education can be the result of indirect factors such as the need for official documents proving residency or a birth certificate or the refusal of access due to the lack of vaccinations. Furthermore, some schools in eastern and southern Europe continue to refuse to register Roma children, or accept them only on the condition that they are separated from other pupils and in distinct facilities.

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[45] Ibid., p. 163.

[46] See E/CN.4/2006/16/Add.3, para. 55.

[47] United Nations, *State of the World's Indigenous Peoples*, press release, 14 January 2010.

[48] Ibid.

[49] *State of the World's Indigenous Peoples*, p. 164.

[50] *State of the World's Indigenous Peoples*, press release, 14 January 2010.

Their situation of poverty also restricts school attendance and the drop-out rate within the community is high. For instance, about half of the Roma in the Republic of Moldova live in extreme poverty and face difficulties in accessing appropriate clothing, school lunches for their children, school materials or transportation for the children.[51] On average, in 2011 in Europe, only one out of two Roma children attended pre-school or kindergarten and only 15 per cent of young adults surveyed completed upper-secondary general or vocational education.[52]

60. The Special Rapporteur also observes that as a consequence of marginalization a large percentage of the Roma continue to live in substandard and unhealthy housing conditions. Often they do not have security of tenure, and are subjected to forced evictions and sometimes relocated to areas with health hazards. As a result, in 2011, about 90 per cent of Roma surveyed lived below national poverty lines and 45 per cent of them lived in households lacking at least one basic housing amenity such as indoor kitchen, indoor toilet, indoor shower or bath and electricity.[53]

61. The Roma also experience difficulties in finding stable employment, and their access to quality and sufficient quantity of food is often limited. This is the direct result of social exclusion which leads to poor dietary choices and instability in accessing food supplies which affect health conditions and increase vulnerability to diseases such as obesity and malnutrition, especially among children.

62. Indeed, with regard to health, the Roma may be one of the most vulnerable groups in Europe and their life expectancy is shorter than the rest of the European population. In 2011, one third of Roma respondents aged 35 to 54 reported health problems limiting their daily activities and about 20 per cent of respondents had no medical coverage.[54]

4. Dalits

63. The caste system continues to be the source of discrimination against the Dalits who have a low hierarchical status according to tradition and beliefs. A disproportionate percentage of the Dalits live in abject poverty and face discrimination and exclusion at social, economic and political levels.[55]

64. Abuses at school by teachers and fellow students such as corporal punishment, verbal abuse, forced "manual scavenging" or injuries reinforce social alienation and drop-out rates.[56] In some cases, Dalits are not allowed to access the same facilities as non-Dalits, owing to what is referred to as the fear of uncleanliness, untouchability and contagion.[57] Most of the Dalits live in rural areas, and are often excluded from services only available in urban areas. It is estimated that less than

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[51] Council of Europe, *Human Rights of Roma and Travellers in Europe* (Strasbourg, 2012).

[52] UNDP, "Data on Roma", available from http://europeandcis.undp.org/data/show/D69F01FE-F203-1EE9-B45121B12A557E1B.

[53] Ibid.

[54] Ibid.

[55] Joint report on the mission to Bangladesh of the independent expert on the question of human rights and extreme poverty and the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation (A/HRC/15/55 and Corr.1), para. 25.

[56] See International Dalit Solidarity Network: Education, at http://idsn.org/caste-discrimination/key-issues/education/.

[57] See report entitled "Stigma and the realization of the human rights to water and sanitation" (A/HRC/21/42), para. 22.

10 per cent of Dalit households can afford safe drinking water, electricity and toilets, and approximately 75 per cent are engaged in agricultural work, although many do not have their own land.

65. Furthermore, the Dalits are often engaged in manual scavenging, digging of graves, cleaning of human excretions or forced prostitution, thus exposing them to a range of health hazards. A study in South Asia found that Dalits were denied entry into private health centres or clinics in 74 out of 348 villages surveyed, or 21.3 per cent of villages.[58] The study also found that in the case of 30 to 40 per cent of the Dalit villages surveyed public health workers refused to visit. In some villages, Dalits also were prohibited from public streets and even police stations.

5. Migrants

66. The Special Rapporteur observes that the situation of migrants remains precarious and calls for closer attention, particularly as many host countries continue to experience economic difficulties. In spite of measures taken by some States to integrate migrants and provide them with the opportunities to live a dignified life, many migrants continue to live in poverty and to experience discrimination in many areas of everyday life.

67. Access to official documents continues to determine the extent to which migrants can enjoy other rights and employment. In various countries, several documents (identity document, residence, birth or medical documents) are a condition for admission of children into school. Migrants in an irregular status often lack these official documents.

68. New migrants and particularly those without official documents find it difficult to access employment opportunities which in turn force them into a life of poverty. Many migrants live in precarious and insecure housing conditions, without adequate access to basic facilities such as reliable water or electricity. In some cases, their status leaves them open to exploitation by landlords. Moreover, without proper documents, migrants find it difficult to secure proper housing since in some countries, in order to conclude a lease agreement, certain documents or even proof of income may be required.

69. Owing to linguistic or cultural barriers many migrants do not access accurate information on health services in their host country. The costs of health services may also be an obstacle, in particular for irregular migrants who do not have health coverage. The fear of being reported to the police by health professionals further discourages some migrants from accessing public health services. In addition, out of desperation, some migrants often accept dangerous employment which can be hazardous.

D. Measures to combat poverty and discrimination

70. The Special Rapporteur notes that States around the world have developed and implemented many good practices which can alleviate problems associated with the intersecting problems of racism and poverty. The Special Rapporteur would like to

[58] Ghanshyam Shah et al., *Untouchability in Rural India* (New Delhi, SAGE Publications India, 2006).

report some of the good practices and initiatives he has been made aware of through his country visits and research. These include collection of disaggregated data, programmes aimed at increasing education and educational opportunities, laws which protect disadvantaged groups generally and in labour markets, poverty alleviation initiatives, and special measures aimed at enhancing equality between all groups. While the list of good practices and examples of States which have implemented them is certainly not exhaustive, the Special Rapporteur hopes that this section will provide some helpful direction to States.

71. The Special Rapporteur would like to stress the importance of collecting ethnically-disaggregated data on demographic, social and cultural indicators. Such information is useful for identifying trends and designing appropriate policies. A good example of the value of such data is the United States which has a long record of using such data to assess the progress of racial minorities.[59] Without disaggregated data, it is difficult for States to assess whether racial and ethnic minorities are making the expected progress. Indicators should be relevant to the communities surveyed and the collection of data should be undertaken with the involvement of minorities.[60]

72. As noted by the Special Rapporteur on human rights and extreme poverty in her report on Ireland, education is a key means of ensuring poverty reduction and social inclusion.[61] Several States have implemented legislation and created mechanisms to promote non-discrimination of racial and ethnic minorities in the field of education. Examples include the Promotion of Equality and Prevention of Unfair Discrimination Act (2000) in South Africa; the Law on Equality of Rights and Opportunities, Participation and Citizenship of Persons with Disabilities (2005) in France; the Prohibition of Discrimination Act (2005) in Norway, which establishes the function of Ombudsman on Equality and Anti-Discrimination; the General Equality of Treatment Act (2006) in Germany, which aims to prevent or remove disadvantages due to race or ethnic background in employment and vocational training; and the Equality Act (2006) in the United Kingdom which establishes a Commission for Equality and Human Rights.[62] In the United States, the Office for Civil Rights within the Department of Education is mandated to ensure equal access to education and it enforces several federal laws that prohibit discrimination.[63]

73. Other good practices in education promote inclusion and tolerance of culturally diverse groups. In the Singaporean public education system, various education policies and programmes foster tolerance, understanding and respect among the youth. School curricula focus on social cohesion and harmony, and children are encouraged to interact with others from different backgrounds.[64] In Bosnia and Herzegovina, the Building Child-Friendly Schools and Communities initiative focuses on social unity and tolerance.[65] In Ireland, the Intercultural Education Strategy 2010-2015 aims at developing an intercultural learning environment, based on inclusion.[66]

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[59] See A/HRC/11/36/Add.3, para. 81.
[60] Report of the independent expert on minority issues (A/HRC/4/9), para. 77.
[61] A/HRC/17/34/Add.2, para. 82.
[62] A/HRC/17/29 and Corr.1, para. 43.
[63] A/HRC/11/36/Add.3, para. 26.
[64] A/HRC/17/40/Add.2, para. 39.
[65] United Nations Development Group, *MDG Good Practices*, chapter 2 (June 2010), pp. 55-56.
[66] A/HRC/17/34/Add.2, para. 82.

74. The Special Rapporteur recalls that offering education in a country's minority languages is also important for promoting tolerance. In Singapore, children can be taught both in English and in their mother tongue, Mandarin, Malay or Tamil.[67] Mongolia's National Programme on Implementation of Human Rights recognizes ethnic minorities' right to receive education in their mother tongue.[68] In Cambodia, the Highland Community Programme seeks to increase educational opportunities for remote indigenous ethnic minority communities by teaching their native languages first, while progressively introducing the Khmer language.[69] Guatemala committed itself to strengthening intercultural bilingual education in its education policy for 2008-2012.[70]

75. Another good practice in eliminating poverty and racism through education is the promotion of access to schools for marginalized children. The Abrazo Programme, set up in 2005 in Paraguay, focuses on children working in the street and their families. The children are put in schools, their attendance is monitored, and they are provided with food and health care. At the same time, the children's families are provided with support to make up for the lost income.[71] Inclusive education in the Lao People's Democratic Republic tries to increase access to primary education for all children, especially marginalized children.[72] In Belgium, the Samsara Project aims to support immigrant youth who are vulnerable to dropping out of school.[73]

76. The Special Rapporteur is of the view that measures and programmes designed to improve the social inclusion of disadvantaged groups also constitute good practices. In Hungary, several programmes are being implemented in order to improve Roma access to education, employment, housing and health care, including the Decade of Roma Inclusion Programme Strategic Plan for 2007-2015, the European Union framework for national Roma integration strategies, the National Social Inclusion Strategy "Extreme Poverty, Child Poverty and the Roma" for 2011-2020, and the Framework Agreement between the Government and the National Roma Self-Government.[74] Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Macedonia, Montenegro, Romania, Serbia, Slovakia and Spain have also committed themselves to the Decade of Roma Inclusion.[75] Ireland has been implementing a strategic approach to alleviating poverty and social exclusion through its National Action Plan for Social Inclusion 2007-2016, National Development Plan 2007-2013, and National Social Partnership Agreement, "Towards 2016".[76]

77. Similarly, protection against discrimination in labour markets is critical in promoting the mobility of disadvantaged groups from poverty. In the United States, discrimination related to employment on the basis of race, colour, religion, sex, or

[67] A/HRC/17/40/Add.2, para. 39.
[68] A/HRC/23/36/Add.2, para. 48.
[69] *MDG Good Practices*, Chapter 2, pp. 59-60.
[70] Report on the mission to Guatemala of the Special Rapporteur on the right to education (A/HRC/11/8/Add.3), para. 61.
[71] A/HRC/14/25/Add.2, para. 36.
[72] *MDG Good Practices*, chapter 2, pp. 39-40.
[73] United Nations Educational, Scientific and Cultural Organization (UNESCO), ***Fighting Racism and Discrimination; Identifying and Sharing Good Practices in the International Coalition of Cities*** (Paris, 2012), pp. 32-33.
[74] A/HRC/20/33/Add.1, para. 30.
[75] http://www.romadecade.org/about-the-decade-decade-in-brief.
[76] A/HRC/17/34/Add.2, para. 13.

national origin is prohibited under the Civil Rights Act of 1964 and is enforced by the Equal Employment Opportunity Commission.[77] In Bosnia and Herzegovina, the Upper Drina Regional Development programme provides greater access to employment and high-quality, needs-based public service for multi-ethnic communities.[78] Several noteworthy initiatives have come from the Singapore Ministry of Manpower and the Tripartite Alliance for Fair Employment Practices. For example, their guidelines indicate that race should not be a criterion for the selection of job candidates, and job advertisements should not feature statements like "Chinese preferred" or "Malay preferred". In addition, if a job entails proficiency in a particular language, employers should justify the need for the requirement. According to the Tripartite Alliance, these guidelines have led to good results — mention of ethnic criterion in job advertisements has gone from 34 per cent in 1999 to almost no mention in 2011 and mention of language criteria in job advertisements has gone from 20 per cent to less than 1 per cent from 2006 to 2011. Singapore has also organized various workshops on how to handle grievances, create an inclusive workplace, and manage diversity.[79]

78. The Special Rapporteur further emphasizes that general poverty alleviation initiatives need also to be beneficial to groups that are discriminated against. In China, the 8-7 National Poverty Reduction Plan, conducted from 1994 to 2000 with some focus on ethnic minorities and rural migrants, aimed to lift 80 million poor above the poverty line. The plan included assistance with land improvement, crop and livestock production, education and basic health care. Drawing from the success of the Plan, China instituted the New Century Rural Poverty Alleviation Plan for 2001-2010 to reach more areas of the country.[80] In the city of Durban, South Africa, the Grants-in-Aid, Non-Racism and Non-Sexism Committee runs several poverty alleviation programmes, aiding groups that traditionally suffer discrimination in several fields, including economic empowerment, education, and social welfare.[81]

79. The Special Rapporteur would also like to mention the importance of taking special measures or affirmative action in conformity with general recommendation No. 32 of the Committee on the Elimination of Racial Discrimination. As noted in his report on Bolivia, appraisals of the need for such measures should be carried out on the basis of accurate data, disaggregated by race, colour, descent and ethnic or national origin, and the special measures should be designed and implemented on the basis of prior consultation with affected communities.[82] In 2002, Brazil adopted a National Affirmative Action Programme to address inequalities experienced by Afro-descendants and indigenous populations. Legislation on a Statute on Racial Equality created quotas for Afro-Brazilians and indigenous people in higher education and public service.[83] Finally, a community development programme run by the United Nations Development Programme in Nepal reserves a proportion of funds for excluded groups, including Dalits.[84]

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[77] A/HRC/11/36/Add.3, para. 32.
[78] *MDG Good Practices*, chapter 1, pp. 87-88.
[79] A/HRC/17/40/Add.2, paras. 46-47.
[80] *MDG Good Practices*, chapter 1, pp. 23-24.
[81] UNESCO, *Fighting Racism and Discrimination*, p. 43.
[82] A/HRC/23/56/Add.1, para. 93.
[83] A/HRC/4/9, para. 90.
[84] Ibid., para. 92.

IV. Conclusions and recommendations

80. **The Special Rapporteur welcomes the efforts and initiatives undertaken by various States to prohibit discrimination and segregation and to ensure full enjoyment of civil, cultural, economic, political and social rights for all individuals and groups. He notes that certain groups and individuals, including people of African descent, indigenous peoples, minorities, Roma, Dalits and migrants, are still confronted with poverty and discrimination, especially in the enjoyment of their economic and social rights. The persistence of discrimination against those groups and individuals remains a challenge to the construction of a tolerant and inclusive society, and only the guarantee of equality and non-discrimination policies can redress that imbalance and prevent those groups that are discriminated against from falling into or being trapped in poverty.**

81. **The Special Rapporteur therefore invites Member States to adopt comprehensive approaches for tackling the intersection of poverty and discrimination which is prevalent around the world. In particular, the Special Rapporteur recommends that Member States review and redesign policies and programmes which may have a disproportionate effect on racial or ethnic minorities in view of their socio-economic vulnerability and implement effective measures to improve the access of such groups to civil, cultural, economic, political and social rights.**

82. **As a key prerequisite of any actions aimed at tackling the socio-economic vulnerability of persons belonging to ethnic or racial minorities, the Special Rapporteur also recommends that States collect disaggregated data and indicators that allow for the identification of the main problems those groups and individuals face and that would inform policy-making in this regard. The principles of privacy, self-identification and involvement of all communities in such data-gathering activities should be respected at all times.**

83. **The Special Rapporteur encourages the stakeholders of the post-2015 agenda to continue focusing on reducing socioeconomic inequalities while taking into account issues surrounding discrimination. While the Millennium Development Goals have addressed the reduction of extreme poverty, the Special Rapporteur suggests that in the post-2015 agenda specific goals and targets be developed to ensure that everyone, regardless of socioeconomic status or ethnicity, has universal access to health care, education, water, food and security. Legislative and institutional mechanisms should be in place to ensure that these rights are recognized equally for all. The principles of equality and non-discrimination should ensure that no group is left behind and that groups that have historically been discriminated against receive special protection.**

84. **The Special Rapporteur recalls the overarching prohibition of discrimination on national, racial, ethnic, religious or other grounds according to international human rights law, and strongly recommends that States review legislation and policies which may directly or indirectly discriminate against particular groups or individuals.**

85. **In order to redress the historical imbalances created by racism and discrimination, including slavery, segregation, apartheid and other forms of**

exclusion, the Special Rapporteur recommends that Member States adopt or strengthen special measures aimed at fostering integration of racial and ethnic minorities or other groups and individuals that have traditionally been discriminated against, especially in the areas of education, health, housing, food and water supplies and in the workplace.